



**STATE OF MONTANA
DEPARTMENT OF CORRECTIONS
POLICY DIRECTIVE**

Policy No. DOC 1.5.11	Subject: REPORTING OF ADMISSION OR RELEASE OF ARSONISTS
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 2 and Attachments
Section 5: Case Records Management	Effective Date: Feb. 1, 1998
Signature: /s/ Mike Ferriter, Director	Revised: 11/15/11

I. POLICY

The Department of Corrections requires all Department and contracted facilities and programs to provide written notification to the Department of Justice when they admit or release offenders who are convicted of arson, or acquitted of arson on the grounds of mental disease or defect, in accordance with [53-1-104, MCA](#).

II. APPLICABILITY

All divisions, facilities and programs Department-owned and contracted, as specified in contract.

III. DEFINITIONS

Administrator – The official, regardless of local title (division or facility administrator, bureau chief, warden, superintendent), ultimately responsible for the division, facility, or program operation and management.

Arsonist – Any person convicted of the offense of arson as defined in [45-6-103, MCA](#), or negligent arson as defined in [45-6-102, MCA](#).

IV. DEPARTMENT DIRECTIVES

A. Requirements

1. By statute, the following entities must provide written notice prepared on Department letterhead to the Fire Marshall Bureau, Department of Justice:
 - a. a Montana prison
 - b. a Montana youth correctional facility
 - c. a county or city detention facility
2. The required Arson [Admit Notice](#) and Arson [Release Notice](#) must contain:
 - a. the name of the convicted arsonist;
 - b. where the offender is or will be located; and
 - c. the type of fire in which the offender was involved.

V. CLOSING

Questions concerning this policy should be directed to the appropriate facility administrator.

VI. REFERENCES

- A. [45-6-102, MCA](#); [45-6-103, MCA](#); [53-1-104, MCA](#)

VII. ATTACHMENTS[Arson Admit Notice](#)[PDF](#)[Arson Release Notice](#)[PDF](#)